

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

GEORGE S. HOFMEISTER FAMILY TRUST, et
al.,

Plaintiffs,

v.

Case No. 06-CV-13984-DT

FGH INDUSTRIES, LLC, et al.,

Defendants.

**ORDER GRANTING IN PART AND DENYING PART PLAINTIFFS' "MOTION FOR
DEFAULT JUDGMENT . . ." AND GRANTING PLAINTIFFS' "MOTION TO MODIFY
RELIEF REQUESTED IN MOTION FOR DEFAULT"**

The court held telephone conference on August 6, 2007 to discuss the above-captioned motions. With the appearance of counsel on behalf of Trans Industries of Indiana, Inc. ("Trans"), Plaintiffs agree that the situation to which they objected is cured and that the substance of the July 19, 2007 motion for default may be withdrawn. The parties agree that the court should grant the sole relief that Plaintiffs still request: modification of the scheduling order to permit Plaintiffs to provide their expert report to Defendants on or before October 1, 2007. Accordingly,

IT IS ORDERED that Plaintiffs' "Motion to Modify Relief Requested in Motion for Default" [Dkt # 104] is GRANTED.

IT IS FURTHER ORDERED that Plaintiffs' "Motion for Default Judgment . . ." [Dkt # 98] is GRANTED IN PART AND DENIED IN PART. Specifically, the sole relief to which Plaintiffs are entitled is modification of the scheduling order permitting Plaintiffs to provide their expert report to Defendants on or before **October 1, 2007**.

IT IS FURTHER ORDERED that other dates relating to expert reports will be changed consistent with Plaintiffs' new deadline. The court will issue a separate amended scheduling order.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 7, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 7, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522